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6 REVERE SUPPLY, INC.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 COAST MARINE & INDUSTRIAL
11 SUPPLY, INC., a California Corporation;
and OCEANS WEST MARINE SUPPLY,
12 INC., a California Corporation,

13 Plaintiffs,

14 v.

15 REVERE SUPPLY, INC., a Florida
Corporation; RFD BEAUFORT, LTD., a
16 United Kingdom Company; and RFD
BEAUFORT, INC., an Ohio Corporation,,

17 Defendants.
18

CASE NO. C-05-0571 SC

**STIPULATION AND ~~PROPOSED~~
ORDER FOR CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

19
20 Plaintiffs Coast Marine & Industrial Supply, Inc. and Oceans West Marine & Industrial
21 Supply, Inc. (collectively "Plaintiffs") and Defendants Revere Supply, Inc., RFD Beaufort, Ltd.,
22 and RFD Beaufort, Inc., through their respective counsel, hereby stipulate and request
23 continuance of the case management conference from December 9, 2005 to January 6, 2006.

24 The parties have reached a settlement in principle of this matter and have exchanged draft
25 settlement papers involving multiple agreements and multiple parties. Due to the nature and
26 complexity of the dispute, the settlement will be memorialized in several agreements rather than a
27 single document and involves several parties. The parties anticipate that the settlement will be
28 fully documented and a request for dismissal will be filed prior to the requested date of the

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rescheduled case management conference. The parties will seek no further continuances. The parties understand that the Court will set the case for trial at the January 6, 2006 case management conference if the settlement has not been finalized. Said trial setting would be without prejudice, as indicated in the Court's October 11, 2005 order, to re-filing of the defendants' motions to dismiss.

WHEREFORE, the Plaintiffs and Defendants respectfully stipulate and request that the time for hearing of Defendants' motions to dismiss and the initial case management conference be continued as set forth above and on the conditions also set forth above.

Dated: December 7, 2005

HENNEFER & WOOD

By /s/ James A. Hennefer

JAMES A. HENNEFER
Attorneys for Plaintiffs
COAST MARINE & INDUSTRIAL SUPPLY,
INC., and OCEANS WEST MARINE
SUPPLY, INC.

Dated: December 7, 2005

DLA PIPER RUDNICK GRAY CARY US LLP

By 

JOHN R. HURLEY
Attorneys for Defendant
REVERE SUPPLY, INC.

Dated: December 7, 2005

FULBRIGHT & JAWORSKI L.L.P.

By 

PETER H. MASON
Attorneys for Defendant
RFD BEAUFORT, LTD. and RFD
BEAUFORT, INC.

~~Proposed~~ ORDER

Based on the stipulation of the parties and good cause shown:

1. The initial case management conference in this matter, currently set for December 9, 2005, is continued to January 6, 2006, at 10:00 a.m. The parties shall file one joint case management conference statement no later than seven calendar days prior to the conference.
2. No further continuances of the case management conference will be granted.
3. If the action is not finally settled and dismissed by January 6, 2006, the Court will proceed to set a trial date.

IT IS SO ORDERED.

